

Remarks

Claims 1-15 stand rejected under 35 U.S.C. § 102 as being anticipated by McGregor (IPMP draft-mcgregor-ipmp-00.txt).

McGregor does not disclose providing IPMP packet instructions for a recipient of the IPMP packet, said instructions including instructions to provide specified information and an instruction to a recipient to insert any additional data desired by the recipient in the IPMP packet when forwarding the IPMP packet, as substantially recited by independent claims 1, 6, and 11.

As best understood from previous responses, the Examiner appears to generally agree that McGregor does not explicitly disclose to “include in the IPMP packet instruction for a recipient to insert any additional data desired by the recipient in the IPMP packet when forwarding the IPMP packet”, as explained in Applicant’s previous response. The, Examiner however considers an alleged act in McGregor of providing a specific field for the recipient to insert performance data to be an “instruction for the recipient to insert additional data.” Final Office action, pg. 3. Applicant respectfully disagrees with the Examiner’s logic.

In the Advisory action, the Examiner further explained that “providing a field for the recipient to insert performance data, the recipient has a choice to either to insert or not the ‘optional data’, rather than ‘required data’[. T]herefore, providing a field is considered as the instruction to insert any additional data desired by the recipient.” However, the field referenced in McGregor is at best an instruction to provide the specified performance data. The claims as amended contain instructions for a recipient to provide specified data and additional data.

Accordingly, McGregor does not disclose all of the claim limitations of the above claims, and hence does not anticipate the claimed invention. Hence, Applicant respectfully requests the rejection to be withdrawn.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Respectfully submitted,

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